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Atty. Dkt. No. 097352-0129

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Jon LUNDBERG, *et al.*

Title: DEVICE AND METHOD FOR ADMINISTERING THERAPEUTIC AGENTS

Appl. No.: 10/583,113

International Filing Date: 12/15/2004

371(c) Date: May 22, 2009

Examiner: Gerald Ernest LANDRY II

Art Unit: 3763

Confirmation Number: 1236

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §1.56

Mail Stop: IDS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 C.F.R. §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 C.F.R. §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 C.F.R. §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 C.F.R. §1.97(c), before the mailing date of either a final action under 37 C.F.R. §1.113, a notice of allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in the application.

RELEVANCE OF EACH DOCUMENT

The documents included on the attached PTO form SB/08 were cited in the Notification of Reasons for Refusal received in the related Japanese Patent Application No.: 2006-545287, dispatched on June 1, 2010. A copy of the Notice is attached as document B2.

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with M.P.E.P. §609.

STATEMENT

The undersigned hereby states in accordance with 37 C.F.R. §1.97(e)(2) that no item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of the information disclosure statement.

Although Applicant believes that no fee is required, the Commissioner is hereby authorized to charge any additional fees which may be due to Deposit Account No. 19-0741.

Respectfully submitted,

Date September 1, 2010

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